



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/087,291 | 02/28/2002 | Shiyan S. Hua | LUT 20079 | 3105 |

7590 07/01/2004

John P. Cornely
Fay, Sharpe, Fagan, Minnich & McKee, LLP
Seventh Floor
1100 Superior Avenue
Cleveland, OH 44114

EXAMINER

WOO, ISAAC M

ART UNIT PAPER NUMBER

2172

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/087,291

Applicant(s)

HUA ET AL.

Examiner

Isaac M Woo

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Polish (U.S. Patent No. 6,430,531).

With respect claims 1 and 11, Polish discloses, receiving a telephone call from a viewer via a telephone system, see (SR1, fig. 2, fig. 8, col. 3, lines 17-67 to col. 4, lines 1-37); generating a search query in response to the telephone call, see (LM1, phone input is converted into text query input (fig. 3) and query generation according to text input, fig. 4, fig. 8, col. 3, lines 17-67 to col. 4, lines 1-37); searching a database in accordance with the search query, see (109, fig. 1, fig. 4, fig. 8, col. 4, lines 54-67, col. 5, lines 65-67 to col. 6, lines 1-30), the database containing television programming information (television program guide, col. 3, lines 17-25); generating search results from the searching, the search results including entries from the database that correspond to the search query, see (fig. 1, fig. 4, fig. 5, col. 3, lines 18-67 to col. 4, lines

1-67 to col. 5, lines 1-65, col. 6, lines 1-61); and, sending the search results to a television receiver box of the viewer via a television system such that the search results upon a television operatively connected to the receiver box, see (fig. 1, fig. 4, fig. 5, col. 3, lines 18-67 to col. 4, lines 1-67 to col. 5, lines 1-65, col. 6, lines 1-61). Polish discloses the search results, (fig, fig.5). Polish does not explicitly disclose the search results are displayable. However, disclosed system of the Polish is to provide television program guide to a user based on speech input query to search, the speech input is converted to text for query input, and provides (displays) television program guide to the user, see (col. 1, lines 24-67 to col. 2, lines 1-61, col. 3, lines 1-67). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was to include the search results are displayable in the system of the Ploish. Because the television program guide system provides television program schedule to the user with displayable medium, such as, television screen or computer screen.

With respect to claim 2, Polish discloses identifying the viewer from which the telephone call is received via caller ID, see (fig. 1, col. 4, lines 54-67).

With respect to claim 3, Polish discloses search query is at least partially generated from spoken language from the viewer which is received via the telephone system and input into a voice recognition module, see (fig. 1, fig. 4, fig. 8, col. 4, lines 54-67, col. 5, lines 65-67 to col. 6, lines 1-30).

With respect to claims 4-5, Polish discloses current television programming information and period of future television programming information are maintained in the database, see (111, fig. 1, col. 4, lines 54-67).

With respect to claim 6, Polish discloses deactivating the search results after the telephone call has terminated such that they are no longer displayable on the television, see (col. 1, lines 24-67 to col. 2, lines 1-61, col. 3, lines 1-67).

With respect to claim 7, Polish discloses announcing a summary of the search results to the viewer via the telephone system, see (col. 1, lines 24-67 to col. 2, lines 1-61, col. 3, lines 1-67).

With respect to claims 8-10, Polish discloses the search results include a list of channels showing programs which match the search query, wherein the viewer can selectively scroll through the list of channels and the viewer can select a channel from the list of channels to view information about the program being shown on that channel, see (fig. 1, fig. 4, fig. 8, col. 4, lines 54-67, col. 5, lines 65-67 to col. 6, lines 1-30).

With respect to claim 12, Polish discloses voice recognition module that receives spoken language from the viewer and converts it into at least a portion of the search query, see (fig. 1, fig. 2, fig. 8, col. 3, lines 17-67 to col. 4, lines 1-37).

With respect to claims 13-14, Polish discloses current television programming information and period of future television programming information are maintained in the database, see (fig. 1, col. 4, lines 54-67).

With respect to claims 15-17, Polish discloses the television system is selected from a group consisting of a digital cable television system, an analog cable television system, and a satellite television system, the television programming information includes abstractions of program content, and the database includes a searchable field containing identification of program types, see (fig. 1, fig. 4, fig. 8, col. 4, lines 54-67, col. 5, lines 65-67 to col. 6, lines 1-30).

With respect to claims 18-19, Polish identification means for identifying the viewer from which a call is received with caller ID, see (fig. 1, col. 4, lines 54-67).

With respect to claim 20, Polish discloses search results include a list of channels showing programs which match the search query, see (col. 1, lines 24-67 to col. 2, lines 1-61, col. 3, lines 1-67).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Junqua et al (U.S. Patent No. 6,314,398)discloses the system for for receiving a spoken request from a user and processing the request against a knowledge base of programming information for automatically selecting a television program is disclosed. The speech understanding system includes a knowledge extractor for receiving electronic programming guide (EPG) information and processing the EPG information for creating a program database. The system also includes a speech recognizer for receiving the spoken request and translating the spoken request into a text stream having a plurality of words. A natural language processor is provided for receiving the text stream and processing the words for resolving a semantic content of the spoken request. The natural language processor places the meaning of the words into a task frame having a plurality of key word slots. A dialogue manager analyzes the task frame for determining if a sufficient number of key word slots have been filled and prompts the user for additional information for filing empty slots. The dialog manager searches the program database using the key words placed within the task frame for selecting a program, and produces a signal for selecting a television channel associated with the program.

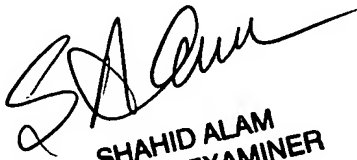
Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW
June 22, 2004


SHAHID ALAM
PRIMARY EXAMINER